

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

MEMORANDUM AND ORDER

GILBERT, District Judge:

The Court previously granted Plaintiff's motion for leave to proceed *in forma pauperis* on appeal pursuant to 28 U.S.C. § 1915 (*see* Docs. 183, 188). It has since come to the Court's attention that Plaintiff has had at least three prior prisoner actions or appeals dismissed on the grounds that they were frivolous, malicious, or failed to state a claim upon which relief may be granted. 28 U.S.C. § 1915(g).¹ Because Plaintiff has had three or more prior dismissals and is not under imminent danger of serious physical injury, his request to proceed *in forma pauperis* on appeal is **DENIED**.

Accordingly, the order granting that motion (Doc. 188) is **VACATED** and **HELD FOR NAUGHT**. The motion for leave to proceed *in forma pauperis* on appeal (Doc. 183) is **DENIED**. Plaintiff shall tender the appellate filing and docketing fee of \$455 to the Clerk of Court in this District within **FIFTEEN (15) DAYS** of the date of entry of this Order, or he may reapply to the Seventh Circuit Court of Appeals for leave to proceed *in forma pauperis* on appeal.

IT IS SO ORDERED.

Dated: June 18, 2007.

s/ J. Phil Gilbert
U. S. District Judge

¹ See *Jones v. Sternes*, Case No. 02-cv-50415 (N.D. Ill., filed Nov. 25, 2002); *Jones v. Sternes*, Case No. 04-cv-50058 (N.D. Ill., filed Feb. 9, 2004); *Jones v. Sternes*, Appeal No. 04-1621 (7th Cir., filed Mar. 8, 2004) (assessing third strike).